UNITED
NATIONS

EP

Governing Council
of the United Nations
Environment Programme

Distr.
GENERAL

UNEP/GC.20/12
[illegible] January 1999

ORIGINAL: ENGLISH

Twentieth session
Nairobi, 1-5 February 1999
Item 4 (d) of the provisional agenda*

POLICY ISSUES: GOVERNANCE OF THE UNITED NATIONS ENVIRONMENT PROGRAMME

Report on the work of the subsidiary bodies of the Governing Council

Note by the Executive Director

The Executive Director has the honour to transmit herewith the report on the work of the subsidiary bodies of the Governing Council, namely the High-level Committee of Ministers and Officials and of the Committee of Permanent Representatives as requested by the respective bodies. The present report reviews the status of implementation of decision 19/32 of 4 April 1997 on governance of the United Nations Environment Programme, which established the High-level Committee of Ministers and Officials and strengthened the Committee of Permanent Representatives.

* UNEP/GC.20/1.

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INTRODUCTION

1. The Governing Council, at the 10th plenary meeting of its nineteenth session, on 4 April 1997, adopted decision 19/32. In its preambular paragraphs, the Council recalled General Assembly resolution 2997 (XXVII) of 15 December 1972 on institutional and financial arrangements for international environmental cooperation, including the mandate of the Governing Council of the United Nations Environment Programme. The Council also recalled its decision 18/2 of 26 May 1995 on the review of the governing structures of the United Nations Environment Programme and reaffirmed the importance for the United Nations Environment Programme to continue to be the leading global environmental authority that sets the global environmental agenda, and to promote the coherent implementation of the environmental dimension of sustainable development within the United Nations system.

2. The preambular paragraphs of decision 19/32 also emphasize the importance of democratic, efficient, transparent and representative governing structures of the United Nations Environment Programme, with a complementary, specific and distinct role and mandate for each of their components and recognize the need for properly mandated subsidiary bodies that can act during the inter-sessional period for and on behalf of the Governing Council within their respective mandates and the framework of the decisions adopted by the Council. Consequently, the Governing Council decided to establish the High-level Committee of Ministers and Officials as a subsidiary body of the Governing Council, and to strengthen the Committee of Permanent Representatives.

I. HIGH-LEVEL COMMITTEE OF MINISTERS AND OFFICIALS

3. In its decision 19/32, the Governing Council gave the High-level Committee the following mandate:

(a) To consider the international environmental agenda and to make reform and policy recommendations to the Governing Council;

(b) To provide guidance and advice to the Executive Director on emerging environmental issues between sessions of the Governing Council to enable the United Nations Environment Programme to make a timely response;

(c) To enhance the collaboration and cooperation of the United Nations Environment Programme with other relevant multilateral bodies as well as with the environmental conventions and their secretariats;

(d) To support the Executive Director in mobilizing adequate and predictable financial resources for the United Nations Environment Programme for the implementation of the global environmental agenda approved by the Governing Council.

4. The Council also decided that the High-level Committee of Ministers and Officials shall consist of 36 members, elected by the Governing Council from among Members of the United Nations and members of its specialized agencies,

for a period of two years, taking into account the principle of equitable regional representation as reflected in the composition of the Governing Council.

5. As decided by the Governing Council in a separate decision on the constitution of the Committee, the members of the High-level Committee of Ministers and Officials were nominated by their regional groups and confirmed as elected at the fifth special session of the Governing Council on 20 May 1998.

6. The first meeting of the High-level Committee of Ministers and Officials was held in New York on 28 June 1997. While it was an organizational meeting, it was of high importance in initiating a process of revitalization of UNEP, building upon the Nairobi Declaration on the Role and Mandate of UNEP. It provided an opportunity for a preliminary exchange of views on the implications for the future role and functioning of UNEP of the outcome of the recently concluded special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21. It was also important that the Committee exchanged views on its future functioning to facilitate a policy-oriented dialogue on important global environmental issues. The report of the first meeting of the Committee was distributed to Governments as document UNEP/HLC/1/5 on 11 July 1997.

7. The second meeting of the Committee was held in Nairobi, from 2 to 4 March 1998, as its first substantive meeting. The Committee arrived at conclusions designed to send out positive signals on the challenges facing UNEP and to demonstrate its committed support to the Executive Director in implementing UNEP's programme. The conclusions of the Committee at its second meeting addressed: the status of the trust funds in support of the work of the High-level Committee of Ministers and Officials; adequate, growing and predictable funding of UNEP; UNEP reform and revitalization in the context of United Nations reform; freshwater; and rules of procedure of the High-level Committee of Ministers and Officials. The report of the second meeting of the Committee was distributed to Governments as document UNEP/HLC/2/6 on 26 March 1998.

8. The third meeting of the High-level Committee of Ministers and Officials was held in Buenos Aires, on 10 November 1998, on the eve of the high-level segment of the fourth meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change. The third meeting of the Committee advised and provided guidance to the Executive Director on the various aspects of its agenda prior to the twentieth session of the Governing Council, in particular, on the reform of UNEP, the report of the United Nations Task Force on Environment and Human Settlements and on UNEP's contribution to the seventh session of the Commission on Sustainable Development.

9. The conclusions of the Committee at its third meeting addressed: the implementation of the conclusions of the second meeting of the High-level Committee of Ministers and Officials; the reform of UNEP; financing sustainable development - the role of UNEP in the financial mechanism; the contribution of UNEP to the seventh session of the Commission on Sustainable Development on oceans, small island developing States, tourism and

consumption and production patterns; and the devastation caused by Hurricane Mitch. On the latter point, the Committee requested the preparation of an action plan for Central America oriented to bridge short-term relief with medium- to long-term environmentally sustainable development, in consultation with the United Nations Development Programme and other relevant United Nations agencies. The report of the third meeting of the Committee was distributed to Governments as document UNEP/HLC/3/5 and Corr.1 on 15 December 1998.

II. COMMITTEE OF PERMANENT REPRESENTATIVES

10. Also, in its decision 19/32, the Governing Council decided to strengthen the Committee of Permanent Representatives, with the following mandate:

(a) Within the policy and budgetary framework provided by the Governing Council, to review, monitor and assess the implementation of decisions of the Council on administrative, budgetary and programme matters;

(b) To review the draft programme of work and budget during their preparation by the secretariat;

(c) To review reports requested of the secretariat by the Governing Council on the effectiveness, efficiency and transparency of the functions and work of the secretariat and to make recommendations thereon to the Governing Council;

(d) To prepare draft decisions for consideration by the Governing Council based on inputs from the secretariat and on the results of the functions specified above.

11. In accordance with decision 19/32 the strengthened Committee of Permanent Representatives to the United Nations Environment Programme comprises of the representatives of all States Members of the United Nations and members of its specialized agencies, and the European Community accredited to UNEP, whether based in Nairobi or outside.

12. In accordance with the mandate given to it in decision 19/32, the committee has during the reporting period held its meetings on a quarterly basis and been active in reviewing, monitoring and assessing the implementation of the decisions of the Council on administrative, budgetary and programme matters.

13. In order to assist the Committee of Permanent Representatives in fully discharging its functions, two subcommittees and a joint subcommittee were established, and they regularly met to review and monitor the implementation of the decisions of the Governing Council adopted at its nineteenth session. Most recently, they held a series of meetings between mid July and mid September 1998 to review the implementation of the decisions on specific programme and administrative/management issues, and reported the outcome of those meetings at the sixty-fourth meeting of the Committee. In addition, other task forces and working groups were established by the Committee to help it carry out the specific tasks effectively.

14. The Committee of Permanent Representatives also collaborated closely with the secretariat in the preparation of the efficiency and management studies called for in Governing Council decision 19/22 of 7 February 1997, where the finding and recommendations of the Committee were substantive inputs into the report of the Executive Director on the management and administrative support of UNEP (UNEP/GCSS.V/4).

15. In its decision 19/29 B of 4 April 1997, the Council, taking note of the observations made in the 1997 report of the Office of the Internal Oversight Services (A/51/810, annex) on the review of the United Nations Environment Programme and the administrative practices of its secretariat, including the United Nations Office at Nairobi, and also taking note also of the request made by the Governing Council to the Executive Director in section II, paragraph 5, of its decision 19/22, to present a report containing an evaluation of the management and administrative support of the United Nations Environment Programme, requested the Committee of Permanent Representatives to make an assessment of the functioning of the secretariat of the United Nations Environment Programme and to make specific recommendations to the Governing Council at its twentieth session as to how to make the secretariat more efficient, effective and transparent. This report is before the Council at its twentieth session as document UNEP/GC.20/13.

16. In accordance with its mandate, the Committee of Permanent Representatives established a working group for the preparation of draft decisions for the twentieth session of the Governing Council. Between November 1998 and January 1999, that group held eighteen meetings to prepare the draft decisions on the basis of the documents for the Governing Council and other inputs received from Governments. Those draft decisions were or were to be subsequently endorsed by the Committee at its sixty-fifth meeting of 15 December 1998 and its extraordinary meeting to be held immediately before the twentieth session of the Council.